

EXHIBIT 1



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U.S. Department of Justice

Tax Division

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DAH:AAF:MESmith
DJ 5-18-26129
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Via Email

Alexander J. Merton
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Derek L. Shaffer
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1033 I Street NW, Suite 900
Washington, DC 20005

Re: *Kenneth C. Griffin v. IRS, et al.*,
1:22-cv-24023 (S.D. Fla.)

Dear Counsel:

Pursuant to the Court's Omnibus Order on Plaintiff's Motion to Compel Discovery and Other Discovery Disputes requiring us to produce: (1) the PIN prosecutorial investigative file (but not those portions of the file which were obtained *exclusively* from the TIGTA investigation or any grand jury materials); and (2) the direct communications between Littlejohn and Paul Wight, Marsha Coleman, Cody Thierry, Rene Schwartzman, and Nanette Downing, enclosed are:

- The United States' Supplemental Response to Plaintiff's Second Set of Requests for Production to Defendants; and
- The United States' Second Supplemental Response to Plaintiff's Third Set of Requests for Production to Defendants.

As with previous production, you will receive an invitation to download the documents identified in our supplemental responses from JEFS. Please note that the Bates range for this production is IRS-0000001 through IRS-0006953 for the emails from the IRS and PIN. The proffer memoranda are identified as DOJ-0000000001 through DOJ-0000000025. We affixed a new Bates prefix to this production because the files we received from the IRS included Bates numbers that inadvertently overlapped with our prior productions with the USA-Griffin prefix.

Because we were unable to remove the Bates numbers placed on the documents by the IRS, we ask that you disregard the USA-Griffin prefix this production and refer to any documents from this production by the IRS Bates prefix.

Our production complies fully with the Court's order. We produce the non-privileged portions of PIN's prosecutorial investigative file, but not any portions of the file that were obtained exclusively from the TIGTA investigation and any grand jury materials. As set out in the enclosed declarations of Scott H. Moffit and Jonathan Jacobson, PIN obtained the evidentiary materials for its prosecution of Charles Edward Littlejohn exclusively from TIGTA, except for the proffer memoranda. Thus, our production of PIN's file is limited to the two proffer memoranda and emails between PIN and counsel for Littlejohn.

We also produce "**Littlejohn's direct 'To/From' communication with specified employees**, which the Government *already collected and processed*." (ECF No. 141 at 9-10 (quoting ECF No. 140 at 7-8) (bold supplied by Court; italics supplied by Plaintiff). As you explained in your reply in support of the motion to compel, those are the only communications you seek. And so, we have produced all direct "To/From" communication between Littlejohn and Paul Wight, Marsha Coleman, Cody Thiery, Rene Schwartzman, and Nanette Downing that the IRS previously collected from its search of Littlejohn's laptop and email.

Please contact us if you have any questions.

Sincerely,

BEATRIZ SAIZ

Digitally signed by
BEATRIZ SAIZ
Date: 2024.05.29 17:36:35
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BEATRIZ SAIZ

Trial Attorney

Civil Trial Section, Eastern Region

Encls.